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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/252,326	02/18/1999	MARK G. PRESTOY	98-906	4365

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EXAMINER

SHANG, ANNAN Q

ART UNIT

PAPER NUMBER

2614

DATE MAILED: 03/15/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

SM

Office Action Summary

Application No.

09/252,326

Applicant(s)

PRESTOY, MARK G.

Examiner

Annan Q Shang

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 February 1999.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1-26 are rejected under 35 U.S.C. 102(e) as being anticipated by De Vos et al (6,272,281).

Regarding Claim 1, De Vos discloses an interactive multimedia system (see fig. 1 and col. 1, lines 30-33), comprising:

a massively parallel video server for streaming a plurality of video streams (see col. 1, lines 24-29),

a plurality of clients for receiving the plurality of video streams (see fig. 1, devices 30 and 40),

a high capacity transport system for transporting the video streams from the massively parallel video server to the plurality of clients (see fig. 1 and col. 1, lines 40-55).

Regarding Claim 2, De Vos further discloses an interactive multimedia system comprising: a set of display devices connected to the plurality of clients (see col. 3, lines 1-16),

respectively for displaying the video streams (see col. 3, lines 1-25).

Regarding Claim 3, De Vos further discloses an interactive multimedia system comprising: an encoder for encoding video and for storing the encoded video in the massively parallel video server (see col. 3, lines 1-6, De Vos inherently teaches encoding since decoding video data is recited in this col.).

Regarding Claim 4, De Vos further discloses an interactive multimedia system comprising: a controller for monitoring the massively parallel video server (see fig. 1, controller 26),

the high capacity transport system (see col. 1, lines 40-55),

and the plurality of clients (see col. 1, lines 40-55).

Regarding Claim 5, De Vos further discloses an interactive multimedia system comprising a web server for storing data and sending the data via the high capacity transport system to the plurality of clients (see col. 2, lines 57-67).

Regarding Claim 6, De Vos further discloses an interactive multimedia system wherein the massively parallel video server includes a plurality of nodes and each of the plurality of nodes comprises:

a video server program for streaming one or more of the video streams from one or more video titles stored in a plurality of disks (see col. 4, lines 1-13),

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an interface module for formatting the video streams into cells and transmitting the cells on the high capacity transport system (see col. 1, lines 44-59 and col. 2, lines 36-56),

a disk controller for retrieving the video titles from the plurality of disks (see fig. 1, controller 26),

and a processor for running the video server program (see fig. 4A).

Regarding Claim 7, De Vos further discloses an interactive multimedia system wherein the high capacity transport system comprises one or more asynchronous transfer mode (ATM) switching systems (see col. 1, lines 44-59).

Regarding Claim 8, De Vos further discloses an interactive multimedia system wherein the high capacity transport system comprises pre-established connections associated with the plurality of clients respectively (see col. 3, lines 1-16).

Regarding Claim 9, De Vos further discloses an interactive multimedia system wherein the high capacity transport system comprises pre-established bi-directional connections associated with the plurality of clients, respectively (see col. 3, lines 30-39).

Regarding Claim 10, De Vos further discloses an interactive multimedia system wherein each of the plurality of clients comprises:

a browser program for retrieving the data from the web server; a video client program for receiving one of the video streams and for controlling the video stream (see col. 3, lines 17-25),

and a processor for executing the browser program and the video client program (see col. 4, lines 1-13).

Regarding Claim 11, De Vos further discloses an interactive multimedia system wherein one or more of the plurality of clients includes a set top box (see col. 3, lines 1-16).

Regarding Claim 12, De Vos further an interactive multimedia system wherein one or more of the plurality of clients includes a personal computer (see fig. 1, End Device 40).

Regarding Claim 13, De Vos further an interactive multimedia system wherein the encoder comprises a real-time encoder for encoding real-time video (see col. 3, lines 1-6, De Vos inherently teaches encoding since decoding video data is recited in this col.).

Regarding Claim 14, De Vos further discloses an interactive multimedia system wherein the encoder comprises an off-line encoder for encoding off-line video (see col. 3, lines 1-6, De Vos inherently teaches encoding since decoding video data is recited in this col.).

Regarding Claim 15, De Vos further discloses an interactive multimedia system wherein the web server interfaces an Internet Protocol (IP) network (see col. 3, lines 61-67).

Regarding Claim 16, De Vos further discloses an interactive multimedia system wherein the data is in Hypertext Markup Language (HTML) format (see col. 4, lines 1-13).

Regarding Claim 17, De Vos further discloses a method for delivering interactive multimedia to a plurality of subscribers at a subscriber site (see col. 3, lines 1-25),

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the method comprising the steps of : streaming a plurality of video streams from one or more video titles stored in a massively parallel video server (see col. 1, lines 40-55),

and transporting the video streams to a plurality of clients via a high capacity transport system (see col. 1, lines 40-55).

Regarding Claim 18, De Vos further discloses a method comprising the step of displaying the video streams on a plurality of display monitors connected to the plurality of clients, respectively (see col. 3, lines 1-25).

Regarding Claim 19, De Vos further discloses a method comprising the step of encoding video and storing the encoded video as a video title in the massively parallel video server (see col. 3, lines 1-6, De Vos inherently teaches encoding since decoding video data is recited in this col.).

Regarding Claim 20, De Vos further discloses a method comprising the step of monitoring the massively parallel video server (see col. 3, lines 30-39),

the high capacity transport system (see col. 1, lines 40-55),

and the plurality of clients (see fig. 1 and col. 3, lines 1-25).

Regarding Claim 21, De Vos further discloses a method wherein the transporting step comprises the step of:

transporting the video streams on pre-established connections to the plurality of clients (see col. 3, lines 1-16).

Regarding Claim 22, De Vos further discloses a method wherein the transporting step comprises the step of:

transporting the video streams on pre-established bidirectional connections to the plurality of clients (see col. 3, lines 30-39).

Regarding Claim 23, De Vos further discloses a method wherein the transporting step comprises the step of:

transporting data stored in a web server via the high capacity transport system to the plurality of clients (see col. 1, lines 40-55).

Regarding Claim 24, De Vos further discloses a method wherein the encoding step comprises the step of encoding real-time video (see col. 3, lines 1-6, De Vos inherently teaches encoding since decoding video data is recited in this col.).

Regarding Claim 25, De Vos further discloses a method wherein the encoding step comprises the step of encoding off-line video (see col. 3, lines 1-6, De Vos inherently teaches encoding since decoding video data is recited in this col.).

Regarding Claim 26, De Vos further discloses a method further comprising the step of:

displaying the data on a plurality of display monitors connected to the plurality of clients, respectively (see col. 3, lines 1-25).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Wakai et al (5,973,722) disclose a combined digital audio/video on demand and broadcast distribution system.

Hellhake (5,877,755) discloses an interactive broadband multimedia system.

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Tomich et al (5,983,068) disclose a photonic home area network.

Karlton et al (5,802,284) disclose a system and method using cover bundles to provide immediate feedback to a user in an interactive television environment.

Brown (5,771,435) discloses a method and apparatus for processing requests for video presentations of interactive applications in which VOD functionality is provided during NVOD presentations.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Annan Q Shang whose telephone number is 703-305-2156. The examiner can normally be reached on 700am-500pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W Miller can be reached on 703-305-4795. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-5991 for regular communications and 703-746-5991 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4750.

AS

Annan Q. Shang
March 6, 2002


JOHN W. MILLER
PATENT EXAMINER